



March 19, 2010

Reply to Attn of

DL: 200-12

TO: Distribution

FROM: DL/Chief Counsel

SUBJECT: Determination Regarding Attendance by NASA employees at the Silicon Valley Space Business Roundtable (SVSBR)/Opus Novum Foundation Luncheon on March 22, 2010

On March 22, 2010, a luncheon is being hosted by the Silicon Valley Space Business Roundtable (SVSBR), which is part of the Opus Novum Foundation. The luncheon is at the Hilton Hotel in Santa Clara, CA, at 11:30 a.m. The guest speakers will include Linda Cureton, NASA Chief Information Officer and S. Pete Worden, Center Director, NASA Ames Research Center.

The Opus Novum Foundation is a non-profit corporation recently organized (12/7/2009) for charitable, scientific, literary, and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of the United States. The foundation has a stated corporate purpose, in part, of bringing together government, non-profits, for-profits, and other global leaders to effectively confront the world's most pressing challenges; and aiding in the development of tomorrow's global society through the inspiration of research and collaboration.

Approximately 100 people are expected to attend the event. The estimated cost of the luncheon, which includes all food and beverages, is \$45.00 per person. The luncheon will be attended by NASA and/or other federal personnel, representatives of the high-tech and aerospace industries, academia, and the media. I find that this luncheon meets the requirements of a "widely attended gathering" as defined in C.F.R. §2635.204(g).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the event will allow attendees to exchange information regarding various NASA programs. Accordingly, NASA employees whose duties do not substantially affect SVSBR/Opus Novum Foundation or a majority of its members, including Presidentially Appointed, Senate-Confirmed personnel and other employees subject to the Ethics Pledge, may accept an invitation for free attendance to the event.

However, NASA employees whose duties may substantially affect the SVSBR/Opus Novum Foundation or a majority of its members, such as by way of procurement duties, are not covered by this determination and should seek an individual determination pursuant to 5 C.F.R. § 2635.205(g)(3) regarding participation in this event from their local ethics counselor.

A handwritten signature in black ink, appearing to read 'T. Berndt', with a stylized flourish at the end.

Thomas W. Berndt